

# Congress of the United States

Washington, DC 20515

May 6, 2003

Mr. Morton S. Bouchard III  
President and Chief Executive Officer  
Bouchard Transportation Company  
77 Newbridge Road  
Hicksville, NY 11801

Dear Mr. Bouchard:

We have received your letter of May 2 and appreciate your commitment to a full clean-up of the oil spill in Buzzards Bay involving the Bouchard Barge No 120 and the quick response to our request for more personnel at the scene.

As you know, a number of accidents have occurred in Buzzards Bay over the years. After each one, a great deal of energy was devoted to minimize future spills. The Oil Pollution Act of 1990 (OPA 90) was enacted into law as a national response to numerous oil spills that occurred in the 1980s, culminating in the devastating tragedy of the *Exxon Valdez*. Closer to home for us, previous incidents in Buzzards Bay have led to the development of comprehensive response plans, the pre-positioning of new equipment, and creation of new navigation systems and piloting requirements at the Cape Cod Canal. Since then, the Bay was designated by the Congress as an "estuary of national significance", with a variety of mandated federal protections. It thus seems self-evident that we consider all options at our disposal to make sure that this type of accident never recurs.

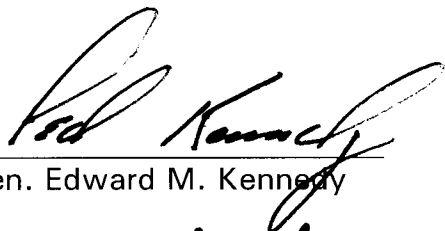
Already, the shock in southeastern Massachusetts over this accident -- and over the 2015 compliance deadline --- has led to a call for the acceleration of the phase-in of the OPA 90 double-hull requirement. Others are urging the tightening of federal and state policies regarding the licensing and operation of tugs and barges in federal and state waters. We have already requested the Coast Guard's review of these. In the meantime, we have one simple request of you.

Since a future accident involving a single-hull barge represents the greatest threat to Buzzards Bay, and since Bouchard barges much of the two billion gallons of fuel oil that come through the canal each year, we urge you to implement a voluntary ban on the use of single-hull barges in these waters. We are pleased to learn that more than one third of your fleet of thirty barges is already double-hulled. Taking this step will go a long way to reassuring coastal residents that Bouchard is aware of the urgency of enhanced protection for Buzzards Bay and the essential need for a commitment to safe navigation in these waters.

We urge you to give this request full consideration. You may find that the cost of compliance will be significantly less than the millions of dollars in corporate resources -- to say nothing of the public funds -- that will otherwise be spent on the ongoing clean-up, the restoration of the marine environment and wildlife and the compensation of our fishermen.

We look forward to hearing from you.

Sincerely,



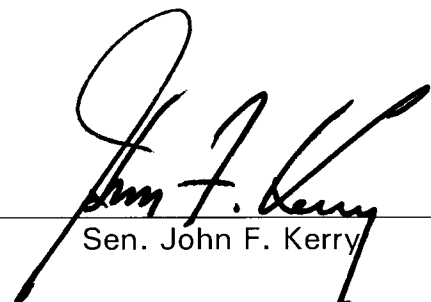
Sen. Edward M. Kennedy



Rep. William D. Delahunt



Rep. James P. McGovern



Sen. John F. Kerry



Rep. Barney Frank